

## REMARKS

### A. Request for Reconsideration

Applicant has carefully considered the matters raised by the Examiner in the outstanding Office Action but remains of the opinion that patentable subject matter is present. Applicant respectfully requests reconsideration of the Examiner's position based on the amendments to the specification and claims and the following remarks.

### B. Claim Status and Amendments

Claims 5-7 are presented for prosecution and claims 1-4 have been cancelled.

Claim 5 is claim 3 written in independent form, claim 6 is claim 4 written in independent form and claim 7 is a combination of claims 3 and 4. Additionally, claims 5-7 are written in more conventional U.S. format, but incorporating all the limitations of claims 3 and 4 respectively.

No new matter was introduced in these amendments.

C. The Office Action

1. Claim Rejections under 35 USC 112

Claims 1-4 had been rejected as indefinite. These claims have been cancelled and it is respectfully submitted that claims 5-7 are definite.

2. Claim rejections under 35 USC 102

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by German reference DE 2826389.

Claims 1 and 2 have been cancelled.

The Examiner has indicated that Claims 3 and 4 are allowable if rewritten or amended to overcome the 35 USC 112 rejections. Claim 5 is claim 3 written in independent form, claim 6 is claim 4 written in independent form and claim 7 is a combination of claims 3 and 4.

Therefore, it is respectfully submitted that claims 5-7 are patentable as DE 2826389.

D. Information Disclosure Statement

Attached is form SB08a citing the references cited in the International Search Report and the International Preliminary Report on Patentability.

Also copies of each non-USPTO publication and English language abstracts, where available, has been attached as a first page to the non-English language reference. It will be noted that the Office Action applied DE 2826389 from the ISR but did not cite DE 2826389 in the PTO-892.

In any event, the fee associating with the IDS is paid concurrently herewith.

E. Conclusion

In view of the foregoing, it is respectfully submitted that this Application is in condition for allowance and such action is respectfully requested.

Should any further fees or extensions of time be necessary in order to maintain this Application in pending condition or for consideration of the IDS, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By: Donald C Lucas  
Donald C. Lucas, 31,275  
(Attorney for Applicants)  
475 Park Avenue South, 15th Floor  
New York, NY 10016  
Tel. # (212) 661-8000

DCL/YDC/aty